

Application No. 09/776,125

END 723

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Seth A. Foerster et al.
App. No. : 09/776,125
Filed : February 2, 2001
Title : METHODS AND DEVICES FOR
DEFINING AND MARKING TISSUE

Art Unit: 3731
Examiner: Baxter

I hereby certify that this correspondence is being transmitted via facsimile to the USPTO on October 22, 2002

Gerry Gressel

Honorable Commissioner of Patents
Washington, D.C. 20231

PETITION under 37 CFR 1.181 TO WITHDRAW FINAL REJECTION

The Commissioner is hereby petitioned to withdraw the final rejection dated July 3, 2002 for the reasons stated below.

The rejection addresses claims 15-17, 35-37, and 43-45. These claims were cancelled in a preliminary amendment filed by certificate of mailing on July 12, 2001, which amendment also added claims 46-59. Apparently, this preliminary amendment has not been considered by the USPTO.

A copy of the preliminary amendment and the USPTO date stamped return post card accompany this petition.

The Examiner is respectfully requested to withdraw the final rejection and examine the claims presented on July 12, 2001.

The Commissioner is hereby authorized to charge any necessary fee, including any extension of time fees, to Deposit Account 10-0750/END-723.

Respectfully submitted,

By: 

Gerry Gressel 34,342

Telephone No.: 513-337-3535

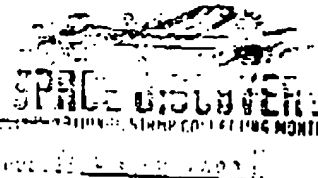
October 22, 2002
Johnson & Johnson
Patent Law Dept.
One J&J Plaza
New Brunswick, NJ 08933

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APPLICATION OF Seth A. Foerster et al. MAILED: 7/12/01
ENTITLED METHODS AND DEVICES FOR DEFINING AND MARKING
TISSUE

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☐ AFFIDAVIT ☐ DECLARATION
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☐ RLS - FORM 1449
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☐ NOTICE OF APPEAL
☐ OATH OR ☐ DECLARATION
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